

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA**
Civil Action No. 1:22-CV-680

Damian McDonald, on behalf of the)
Laboratory Corporation of America)
Holdings Employees' Retirement Plan,)
himself, and all others similarly situated,)
)
Plaintiff,)
)
v.)
)
Laboratory Corporation of America)
Holdings,

Defendant.

CONSENT MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Civil Rule 6.1 (M.D.N.C.), Laboratory Corporation of America Holdings (“Defendant”), with the consent of Damian McDonald, on behalf of the Laboratory Corporation of America Holdings Employees’ Retirement Plan, himself, and all others similarly situated (“Plaintiff”), hereby moves that the current deadline to respond to the Complaint filed by Plaintiff in the above-captioned matter (the “Complaint”) be extended and continued as set forth below. In support of this motion, the parties respectfully show the following:

1. Plaintiff filed the Complaint on August 18, 2022.
2. The Complaint was served upon Defendant on August 24, 2022.
3. Pursuant to Fed. R. Civ. P. 12, Defendant’s response to the Complaint is due by or on September 14, 2022.

4. Defendant requires additional time to investigate and respond to the allegations in the Complaint.

5. Defendant has requested, and Plaintiff has agreed to, an extension of time to allow for sixty (60) days from the date of service upon Defendant for Defendant to respond to the Complaint.

6. This Motion is brought for legitimate need and not for purpose of delay. A proposed Order is submitted herewith.

WHEREFORE, Defendant, with the consent of Plaintiff, respectfully requests that the deadline to respond to the Complaint be extended through and until October 24, 2022.

Respectfully submitted, this 13th day of September, 2022

K&L GATES LLP

/s/ David C. Lindsay

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Notice of Special Appearance forthcoming

/s/ Lars C. Golumbic

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WE SO CONSENT:

/s/ Matthew Norris

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed with the Clerk of Court and electronically served via CM/ECF upon all parties of record on this 13th of September, 2022.

/s/ David C. Lindsay

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**ORDER GRANTING CONSENT MOTION TO EXTEND TIME TO RESPOND
TO COMPLAINT**

THIS MATTER has come before the Court on the Consent Motion to Extend Time to Respond to Complaint (the “Motion”) filed by Defendant Laboratory Corporation of America Holdings, and consented to by Plaintiff, Damian McDonald on behalf of the Laboratory Corporation of America Holdings Employees’ Retirement Plan, himself, and all others similarly situated.

FOR GOOD CAUSE SHOWN, including the consent of the appearing parties, the Motion is hereby **GRANTED**. The deadline for Defendant to respond to the Complaint is hereby extended through and including October 24, 2022.

IT IS SO ORDERED.

This the _____ day of _____, 2022.

United States District Court Judge